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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8040 OF 2003

Ms. Preeti Rameshchandra Gupta
Minor, through her father and
natural Guardian Rameshchandra
Gupta. ... Petitioner

Vs.

State of Maharashtra & Anr. ... Respondents

Mr. Saikumar Ramamurthy for the petitioner.

Mr. C.R. Sonawane, A.G.P. for the respondents.

CORAM: V.G. PALSHIKAR &
SMT. RANJANA DESAI, JJ.

DATED: 1ST SEPTEMBER, 2004.

P.C.:-

1. By this petition, the petitioner claims, as a matter of right, a second change in the choice of her college it being a Medical College.

2. The petitioner passed the Common Entrance Test in June, 2003 and was granted admission on 4/9/2003 for M.B.B.S. course in the K.J. Somaiya Medical College, Mumbai, in Government quota. The petitioner took admission in Somaiya Medical College but on 18/9/2003, applied for a fresh change to Government Medical College at Kolhapur, which was granted and the petitioner took admission in the Government Medical Collage, Kolhapur. Thereafter, the petitioner again wanted to come back to Somaiya Medical College, Mumbai, and made an application

for that purpose, which was not granted. Hence, this petition.

3. The petitioner thus wants to go from one college to another college for reasons which are wholly unsustainable. The petitioner was granted admission in Somaiya Medical College, Mumbai, where the admission was on payment seat and the petitioner wanted to pay much less and was entitled to such admission in Government Medical College, Kolhapur. Her change was accordingly granted. Now she wants to come back to Somaiya Medical College, Mumbai, because the Government Medical College, Kolhapur, was not good according to the petitioner. The rules are not meant for the purpose of satisfying the capricious whims and fancies of the students. The petitioner was granted admission in Government quota seat in Government Medical College, Kolhapur as desired by her. Now for apparent reason and certainly for no valid reason, the petitioner is seeking admission in the Somaiya Medical College, Mumbai. More than one year has been passed after she took admission in the Government Medical College, Kolhapur. The seat in a Private Medical College cannot be allowed to go waste to satisfy the whims and fancies of the petitioner, who wants admission in Somaiya Medical College, Mumbai, first then in Government Medical College, Kolhapur and again back to the Somaiya Medical College, Mumbai. Therefore, even if such act is permissible under the Rules, in our writ jurisdiction, we do not wish to interfere in the present

petition, to satisfy the capricious whims and fancies of the students. Hence petition dismissed.

(V.G. PALSHIKAR, J.)

(SMT. RANJANA DESAI, J.)